



BOARD OF ADJUSTMENT AGENDA

TUESDAY, JULY 2, 2002 - 9:00 A.M.

City Hall - 1700 Convention Center Drive
Commission Chambers - Third Floor
Miami Beach, Florida 33139

A. CONTINUED CASE

1. FILE NO. 2870

SEVILLE BEACH HOTEL CORP. 2901 COLLINS AVENUE

All of Block 11, together with alley through said Block 11, extending from the North line of said Block 11 to the Northerly line of Miami Beach Drive; Also, a certain Tract or Parcel of land lying south of and adjacent to Lot 1 of Block 11; all as shown on the plat of the Amended Map of the Ocean Front Property of the Miami Beach Improvement Co., Recorded in Plat Book 5 pages 7 and 8 of the public records of Miami-Dade County, Florida. Also, the circular tract between Block 8 and 11, and east of Collins Ave.; Amended Map of the Ocean Front Property of the Miami Beach Company; also PB 5-7 and 8. Miami-Dade County, Florida (The complete legal description and survey of the property is on file in the Planning Dept. of the City for inspection)

The applicant is requesting the following variances in order to construct a one story parking structure in the rear of the property, reconstruct the pool deck and two levels of cabana type hotel suites over the new parking structure, a two story rooftop addition and substantially remodel the existing hotel:

1. The applicant is requesting a variance to waive Section 118-398 that does not permit a nonconforming building to be altered or extended unless the alteration or extension decreases the degree of nonconformity.
2. A variance to waive 46' of the minimum required 50' rear pedestal setback from the bulkhead line, in order to construct the above improvements 4' from the bulkhead line at the southern end of the property and 14' from the bulkhead line along the northern end of the property.

continued on next page . . .

File No. 2870 (continued)

3. A variance to waive 16.7' of the minimum required north side yard pedestal setback of 18' in order to construct the above improvements 1.3' from the north property line facing 30th Street.
4. A variance to waive 15.4' of the minimum required south side yard pedestal setback of 18' in order to construct the above improvements 2.6' from the south property line.
5. A variance to waive 9.5' of the minimum required front tower setback of 50' in order to construct a two story penthouse addition 40.5' from the front property line facing Collins Avenue.
6. A variance to waive all of the required 10' rear yard setback from the bulkhead line for structures located within the oceanfront overlay zone.
7. A variance to waive 3,375 sq. ft. of the minimum required open space of 8,608 sq. ft. (50%) within the rear 50 feet of oceanfront properties in order to provide 5,233 sq. ft. of open space.
8. A variance to exceed by 4.8' the maximum allowable deck height of 12.7' (2.5' above the height of the dune) in order to construct a pool deck, with parking underneath, 17.5' high.
9. A variance to waive Section 142-802 that does not permit structures within the Oceanfront Overlay area to be used for dwelling purposes in order to construct four hotel units within the rear 50' of the property.

B. NEW CASES

2. **FILE NO. 2877 A LA FOLIE
516 ESPANOLA WAY
LOTS 1 AND 2; BLOCK 43;
ESPANOLA VILLAS 1ST ADDITION
PLAT BOOK 9-147; MIAMI-DADE COUNTY, FLORIDA**

The applicant is requesting the following variance in order to sell/serve alcoholic beverages at an existing restaurant:

1. A variance to waive 279 feet of the minimum required 300 foot separation between a business that sells/serves alcoholic beverages and an educational facility in order to sell/serve alcoholic beverages at an existing restaurant 21 feet from Fisher-Feinberg Elementary School.
3. **FILE NO. 2878 MIAMI BEACH HOTEL INVESTORS, LLC**

**d/b/a MIAMI BEACH COURTYARD
4385 COLLINS AVENUE
THE SOUTHERLY 75' OF R. P. VAN CAMP TRACT
AND LOT 1 LESS THE SOUTH 75' THEREOF;
BLOCK 39. OCEANFRONT PROPERTY OF THE
MIAMI BEACH IMPROVEMENT CO.
PB 5-7&8; MIAMI-DADE COUNTY, FLORIDA**

The applicant is requesting the following variance in order to install a monument sign with copy reading "Miami Beach Courtyard – Marriott" along Collins Avenue.

1. A variance to waive 8.38 feet of the required 10 foot front yard setback in order to construct a monument sign 1.62 feet from the front property line facing Collins Avenue.

- 4. FILE NO. 2879 AARON BAALBERGEN
235 E. RIVO ALTO DRIVE
LOT 1; BLOCK 3 OF RIVO ALTO
PLAT BOOK 7-74; MIAMI-DADE COUNTY, FLORIDA**

The applicant is requesting the following variance in order to construct a two-car garage in the front of an existing single family residence:

1. A variance to waive 5 feet of the minimum required street side setback of 15 feet in order to construct a garage 10 feet from the side property line facing the Venetian Causeway.

- 5. FILE NO. 2880 63rd STREET ASSOCIATES, LTD.
250 W. 63rd STREET (a/k/a AQUA)
ALL OF ALLISON ISLAND AND ISLAND LYING IN
INDIAN CREEK BETWEEN GOVERNMENT LOTS 2-3
AND GOVERNMENT LOTS 4 THRU 7 SOUTH OF
63rd ST.; MIAMI-DADE COUNTY, FLORIDA**

The applicant is requesting the following variance in order to construct a 12 story residential tower:

1. A variance to exceed by 17 feet the maximum permitted height of 120 feet in order to construct a new residential tower with a height of 137 feet (average height of sloped roof).

- 6. FILE NO. 2881 1229 PARTNERS, LLC
1778-1784 WEST AVENUE**

BOARD OF ADJUSTMENT AGENDA

JULY 2, 2002

**LOT 5; BLOCK 16-A
ISLAND VIEW SUBDIVISION
PLAT BOOK 6-115; MIAMI-DADE COUNTY, FLORIDA**

The applicant is requesting the following variance in order to construct a new storage warehouse:

1. A variance to waive all of the required side yard setback facing a street of 10 feet in order to construct a new storage warehouse.

- 7. FILE NO. 2882 KINNERT REALTY, LLC
2925 INDIAN CREEK DRIVE a/k/a ALDEN HOTEL
LOTS 14 AND 15; BLOCK 12
MIAMI BEACH IMP. CO. SUBDIVISION
PLAT BOOK 5-7; MIAMI-DADE COUNTY, FLORIDA**

The applicant is requesting the following variances in order to substantially remodel an existing hotel building:

1. A variance to waive the minimum required hotel unit size of 300 square feet in order to retain existing hotel units that range in size between 223 s.f. and 300 s.f and construct new units that are 255 s.f. and 266 s.f.
2. A variance to waive the regulation that prohibits an increase in the total number of units within a nonconforming building that is repaired or renovated in order to add 10 additional hotel units.

C. DISCUSSION ITEMS

1. The Board will discuss the hardship criteria as applied to distance separation cases in relation to the sale of alcoholic beverages, and whether such approval can withstand judicial review upon appeal.
2. The Board will hear a presentation by Joseph Johnson, Transportation/Concurrency Management Director, regarding concurrency determination and traffic studies in the vicinity of the 63rd Street flyover.

D. NEXT MEETING DATE

BOARD OF ADJUSTMENT AGENDA

JULY 2, 2002

August 2, 2002

In accordance with the Americans With Disabilities Act of 1990, persons needing special accommodation to participate in this proceeding, persons with disabilities, or to request material in accessible format, contact the Board's administrator at (305)673-7550 no later than four (4) days prior to the proceeding. If hearing impaired or for sign language interpreters, telephone (305)673-7219 (TDD) five (5) days prior to the proceeding.

F:\PLAN\\$zba\AGENDAS\AgnJuly02.doc